

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MARIANNE T. O'TOOLE, et al.,

Plaintiffs,

against

THE CITY OF NEW YORK, et al.,

Defendants.

CIVIL ACTION NO.: 15 Civ. 6885 (LTS) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

Pursuant to the telephonic conference held today, October 11, 2022 (the "Conference"), the Court orders as follows:

1. The Court reserves judgment on Defendants' letter-motion seeking preclusion of an adverse inference at trial relating to the spoliation of memo books. (See ECF No. 334 (the "Adverse Inference Letter-Motion")). The Court will issue a written order addressing the Adverse Inference Letter-Motion in due course.
2. Plaintiffs' letter-motion seeking leave to file a motion to amend the complaint, (see ECF No. 338 (the "Letter-Motion to Amend")), is GRANTED IN PART and DENIED IN PART. To the extent Plaintiffs seek sanctions against Defendants, the letter-motion is DENIED WITHOUT PREJUDICE. By **Friday, October 21, 2022**, Plaintiffs shall file a letter-motion seeking leave to amend, attaching their proposed third amended complaint. By **Friday, October 28, 2022**, Defendants shall file their response. By **Friday, November 4, 2022**, Plaintiffs shall file their reply.

3. The parties shall order a transcript of the Conference and file it on the docket. The parties shall complete the annexed transcript request form and submit one request to:
etranscripts@nysd.uscourts.gov, by **Friday, October 14, 2022.**

4. The Clerk of Court is respectfully directed to close ECF No. 337.

Dated: New York, New York
October 11, 2022

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge

Request for the production of a transcript from an electronic recording

Send one request per completed form to:

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Transcripts from an electronic record are generated by a Court Approved Transcriber, NOT the Southern District Court Reporters. The transcript will be delivered to your office and you will be invoiced directly by the transcriber. Submission of this form constitutes an agreement to pay for the transcription services described herein. This form should not be submitted for the purpose of obtaining a price estimate.

NOTE: CJA requests require prior approval by submitting an Auth-24 document in the CJA eVoucher System. If granted, the attorney then submits the etranscripts order form (indicate CJA Request). Upon notification from the transcriber, the attorney will create a CJA 24 Voucher in the eVoucher system.

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